

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

**EMILY DAHL, HANNAH REDOUTE,
BAILEY KORHORN, and MORGAN
OTTESON,**

Plaintiffs,

**AMENDED STIPULATION TO
AMEND VERIFIED
COMPLAINT AND
TEMPORARY RESTRAINING
ORDER**

-vs-

**THE BOARD OF TRUSTEES OF WESTERN
MICHIGAN UNIVERSITY; EDWARD
MONTGOMERY, President of WMU; KATHY
BEAUREGARD, WMU Athletic Director; and
TAMMY L. MILLER, Associate Director
of Institutional Equity,**

Defendants.

CASE NO.:1:21-cv-757

HON.: PAUL L. MALONEY

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**AMENDED STIPULATION TO AMEND VERIFIED COMPLAINT AND TEMPORARY
RESTRAINING ORDER**

IT IS HEREBY STIPULATED, by and between the parties, as follows:

1. Since Plaintiffs filed their lawsuit and this Honorable Court issued the Temporary Restraining Order, Plaintiffs have been contacted by numerous other student athletes at Western Michigan University (WMU) who were denied their requested accommodation regarding the COVID-19 vaccine.

2. The parties have been in communication to discuss the most expedient means of addressing this issue.
3. The parties stipulate that Plaintiffs shall be permitted to file the attached First Amended Verified Complaint pursuant to Fed R. Civ. P. 15, which adds additional student athletes at WMU as Plaintiffs, and Defendants' counsel will accept service of the First Amended Verified Complaint.
4. The parties stipulate that this Honorable Court amend its TRO (ECF No. 8) to expand its application to all Plaintiff student athletes included in the First Amended Verified Complaint who requested a religious accommodation to the mandated COVID-19 vaccine at WMU pending the hearing currently scheduled with this Honorable Court on September 9, 2021 at 1:30 p.m.
5. Defendants are not waiving any argument that the policy is constitutionally valid and the TRO should not be continued beyond September 9, 2021. However, in order to avoid a multiplicity of litigation at this stage of the proceedings that will create a burden on the parties and the Court, the parties are in agreement regarding this stipulation.

WHEREFORE, the parties respectfully request that this Honorable Court permit and accept Plaintiffs' First Amended Verified Complaint for filing and amend the current TRO (ECF No. 8) to now apply to all Plaintiff student athletes who are listed in the First Amended Verified Complaint.

DATED: September 2, 2021.

/s/ David A. Kallman

David A. Kallman

Stephen P. Kallman

Erin E. Mersino

Jack C. Jordan

Counsel for Plaintiffs

/s/ Michael S. Bogren

Michael S. Bogren

Counsel for Defendants